

Senate Study Bill 3136

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
HUMAN SERVICES BILL)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act providing for implementation of an emergency mental health
2 crisis services system.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 5362DP 82
5 jp/rj/24

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1 1 Section 1. NEW SECTION. 225C.19 EMERGENCY MENTAL HEALTH
1 2 CRISIS SERVICES SYSTEM.
1 3 1. For the purposes of this section:
1 4 a. "Emergency mental health crisis services provider"
1 5 means a provider accredited or approved by the department to
1 6 provide emergency mental health crisis services.
1 7 b. "Emergency mental health crisis services system" or
1 8 "services system" means a coordinated array of crisis services
1 9 for providing a response to assist an individual adult or
1 10 child who is experiencing a mental health crisis or who is in
1 11 a situation that is reasonably likely to cause the individual
1 12 to have a mental health crisis unless assistance is provided.
1 13 2. a. The division shall implement an emergency mental
1 14 health crisis services system in accordance with this section.
1 15 b. The purpose of the services system is to provide a
1 16 statewide array of time-limited intervention services to
1 17 reduce escalation of crisis situations, relieve the immediate
1 18 distress of individuals experiencing a crisis situation,
1 19 reduce the risk of individuals in a crisis situation doing
1 20 harm to themselves or others, and promote timely access to
1 21 appropriate services for those who require ongoing mental
1 22 health services.
1 23 c. The services system shall be available twenty-four
1 24 hours per day, seven days per week to any individual who is
1 25 determined by self or others to be in a crisis situation,
1 26 regardless of whether the individual has been diagnosed with a
1 27 mental illness or a co-occurring mental illness and substance
1 28 abuse disorder, and shall address all ages, income levels, and
1 29 health coverage statuses.
1 30 d. The goals of an intervention offered by a provider
1 31 under the services system shall include but are not limited to
1 32 symptom reduction, stabilization of the individual receiving
1 33 the intervention, and restoration of the individual to a
1 34 previous level of functioning.
1 35 e. The elements of the services system shall be specified
2 1 in administrative rules adopted by the commission.
2 2 3. The services system elements shall include but are not
2 3 limited to all of the following:
2 4 a. Standards for accrediting or approving emergency mental
2 5 health crisis services providers. Such providers may include
2 6 but are not limited to a community mental health center, a
2 7 provider approved in a waiver adopted by the commission to
2 8 provide services to a county in lieu of a community mental
2 9 health center, a unit of the department or other state agency,
2 10 a county, or any other public or private provider who meets
2 11 the accreditation or approval standards for an emergency
2 12 mental health crisis services provider.
2 13 b. Identification by the division of geographic regions,
2 14 service areas, or other means of distributing and organizing
2 15 the emergency mental health crisis services system to ensure
2 16 statewide availability of the services.
2 17 c. Coordination of emergency mental health crisis services
2 18 with other mental health, substance abuse, and co-occurring
2 19 mental illness and substance abuse services available through

2 20 the state and counties to serve both children and adults.
2 21 d. Identification of basic services to be provided through
2 22 each accredited or approved emergency mental health crisis
2 23 services provider which may include but are not limited to
2 24 face-to-face crisis intervention, stabilization, support,
2 25 counseling, preadmission screening for individuals who may
2 26 require psychiatric hospitalization, transportation, and
2 27 follow-up services.

2 28 e. Identification of operational requirements for
2 29 emergency mental health crisis services provider accreditation
2 30 or approval which may include providing a telephone hotline,
2 31 mobile crisis staff, collaboration protocols, follow-up with
2 32 community services, information systems, and competency-based
2 33 training.

2 34 4. The division shall initially implement the program
2 35 through a competitive block grant process. The implementation
3 1 shall be limited to the extent of the appropriations provided
3 2 for the program.

3 3 Sec. 2. EMERGENCY RULES. The mental health, mental
3 4 retardation, developmental disabilities, and brain injury
3 5 commission may adopt administrative rules under section 17A.4,
3 6 subsection 2, and section 17A.5, subsection 2, paragraph "b",
3 7 to implement the provisions of this Act and the rules shall
3 8 become effective immediately upon filing or on a later
3 9 effective date specified in the rules, unless the effective
3 10 date is delayed by the administrative rules review committee.
3 11 Any rules adopted in accordance with this section shall not
3 12 take effect before the rules are reviewed by the
3 13 administrative rules review committee. The delay authority
3 14 provided to the administrative rules review committee under
3 15 section 17A.4, subsection 6, and section 17A.8, subsection 9,
3 16 shall be applicable to a delay imposed under this section,
3 17 notwithstanding a provision in those sections making them
3 18 inapplicable to section 17A.5, subsection 2, paragraph "b".
3 19 Any rules adopted in accordance with the provisions of this
3 20 section shall also be published as a notice of intended action
3 21 as provided in section 17A.4.

3 22 EXPLANATION

3 23 This bill provides for establishment of an emergency mental
3 24 health crisis services system through the division of mental
3 25 health and disability services of the department of human
3 26 services. The purpose of the system is to provide a statewide
3 27 array of time-limited services to reduce escalation of mental
3 28 health crisis situations, relieve the immediate distress of
3 29 individuals experiencing a crisis situation, reduce the risk
3 30 of individuals in a crisis situation doing harm to themselves
3 31 or others, and promote timely access to appropriate services
3 32 for those who require ongoing mental health services.

3 33 The system's general requirements are outlined in new Code
3 34 section 225C.19, including definitions, purpose, statewide
3 35 availability, goals, required elements, and initial
4 1 implementation through competitive block grants. The mental
4 2 health, mental retardation, developmental disabilities, and
4 3 brain injury commission is authorized to adopt administrative
4 4 rules for the system using emergency provisions that forgo
4 5 public comment periods but maintain a final review by the
4 6 administrative rules review committee prior to adoption of the
4 7 rules.

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4 9 jp/rj/24.1